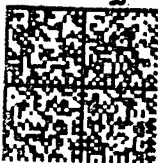
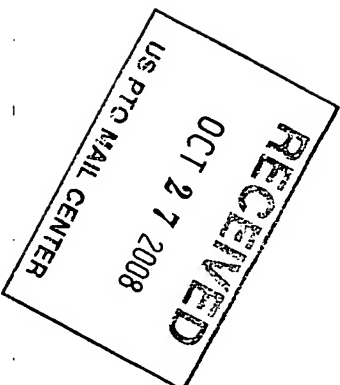


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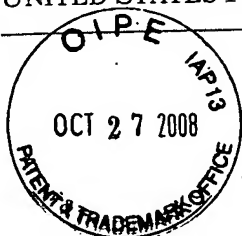
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MICROPYRETICS HEATERS INTERNATIONAL, INC.
613 REDNA TERRACE
CINCINNATI OH 45215

COPY MAILED

OCT 14 2008

OFFICE OF PETITIONS

In re Application of :
Vissa et al. :
Application No.: 10/726487 : **DECISION ON**
Filing or 371(c) Date: 12/04/2003 : **PETITION**
Title of Invention: FLEXIBLE DIE HEATER :

This is a decision in response to the Request Withholding of Abandonment," filed July 28, 2008. The request is properly treated as a Petition To Withdraw Holding of Abandonment under 37 CFR 1.181.

This Petition is hereby **dismissed**.

Any further petition must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under [insert the applicable code section]." This is **not** final agency action within the meaning of 5 U.S.C. § 704.

The above-identified application became abandoned for failure to timely and properly reply to the non-final Office action, mailed July 5, 2005. The Office action set a three (3) month period for reply, and provided for extensions of time under 37 CFR 1.136(a). No complete and proper reply having been received, the application became abandoned on October 6, 2005. A Notice of Abandonment was mailed March 17, 2006.

Petition under 37 CFR 1.181

Applicant files the present petition and states, in relevant part, that a timely Change of Correspondence Address was filed on November 12, 2004. Applicants also assert that a timely reply to the Office action was filed on August 24, 2005.

Review of the Application File

A review of the application file reveals that in the application as-filed on December 4, 2003, inventors Ramgol Vissa, Venkata Burada and John Carson appointed Jayadeep Deshmukh to prosecute the application.

A Notice to File Corrected Application Papers was mailed on March 16, 2004. Applicants filed an unexecuted reply to the Notice on March 31, 2004.

A non-final Office action was mailed on July 8, 2004. A reply to the Office action was filed on September 21, 2004. The reply was executed by J.A. Sekhar, as Company Representative for the Inventors. Office records do not reveal that the inventors executed a Power of Attorney authorizing J.A. Sekhar to act on their behalf in this application.

The reply filed by Applicants on September 21, 2004, was noncompliant. Applicants were so notified in a Notice of Non-Compliant Amendment ("Notice"), mailed November 1, 2004.

In response to the Notice, Applicants filed an Amendment/Reply on November 12, 2004, again executed by J.A. Sekhar. Again there is no evidence in the application file that the inventors executed a Power of Attorney authorizing J.A. Sekhar to act on their behalf in this application.

Along with the Reply, Applicants filed a Change of Correspondence Address, attempting to change the correspondence address to Customer Number 46213. The Change of Correspondence Address was executed Dr. AA Vissa. Office records do not reveal that the inventors executed a Power of Attorney authorizing Dr. Vissa to act on their behalf in this application.

Applicant filed a Supplemental Response to the Office action on March 15, 2005. The Supplemental Response was executed by J. A. Sekhar.

This Office mailed a non-final Office action on July 5, 2005.

Applicants re-filed the Change of Address Form on July 14, 2005 (executed by Dr. A.A. Vissa), and Applicant filed an amendment in response to the Office action on August 24, 2005. The Amendment was executed by J.A. Sekhar (for inventors).

Applicable Law, Rules and MPEP

37 CFR 1.33, Correspondence respecting patent applications, reexamination proceedings, and other proceedings, states:

(b) Amendments and other papers . Amendments and other papers, except for written assertions pursuant to § 1.27(c)(2)(ii) of this part, filed in the application must be signed by:

- (1) A patent practitioner of record appointed in compliance with § 1.32(b);
- (2) A patent practitioner not of record who acts in a representative capacity under the provisions of § 1.34;
- (3) An assignee as provided for under § 3.71(b) of this chapter; or
- (4) All of the applicants (§ 1.41(b)) for patent, unless there is an assignee of the entire interest and such assignee has taken action in the application in accordance with § 3.71 of this chapter.

37 CFR 1.135, Abandonment for failure to reply within time period, provides that

(a) If an applicant of a patent application fails to reply within the time period provided under § 1.134 and § 1.136, the application will become abandoned unless an Office action indicates otherwise.

(b) Prosecution of an application to save it from abandonment pursuant to paragraph (a) of this section must include such complete and proper reply as the condition of the application may require. The admission of, or refusal to admit, any amendment after final rejection or any amendment not responsive to the last action, or any related proceedings, will not operate to save the application from abandonment.

Analysis

Office records reveal that in the application as-filed on December 4, 2003, inventors Ramgol Vissa, Venkata Burada and John Carson appointed Jayadeep Deshmukh to prosecute the application. Office records do not indicate that the power of attorney to Jayadeep Deshmukh was revoked.

37 CFR § 1.36, Revocation of power of attorney; withdrawal of patent attorney or agent, states:

(a) A power of attorney, pursuant to § 1.32(b), may be revoked at any stage in the proceedings of a case by an applicant for patent (§ 1.41(b)) or an assignee of the entire interest of the applicant, or the owner of the entire interest of a patent. A power of attorney to the patent practitioners associated with a Customer Number will be treated as a request to revoke any powers of attorney previously given. Fewer than all of the applicants (or fewer than all of the assignees of the entire interest of the applicant or, in a reexamination proceeding, fewer than all the owners of the entire interest of a patent) may revoke the power of attorney only upon a showing of sufficient cause, and payment of the petition fee set forth in § 1.17(f). A patent practitioner will be notified of the revocation of the power of attorney. Where power of attorney is given to the patent practitioners associated with a Customer Number (§ 1.32(c)(2)), the practitioners so appointed will also be notified of the revocation of the power of attorney when the power of attorney to all of the practitioners associated with the Customer Number is revoked. The notice of revocation will be mailed to the correspondence address for the application (§ 1.33) in effect before the revocation. An assignment will not of itself operate as a revocation of a power previously given, but the assignee of the entire interest of the applicant may revoke previous powers of attorney and give another power of attorney of the assignee's own selection as provided in § 1.32(b). (Emphasis supplied).

Applicant has not filed an Amendment that complies with 37 CFR 1.33(b), because the amendments were not executed by a proper party. As such the reply was not a complete and proper reply in accordance with 37 CFR 1.135.

Correspondence address

A Change of Correspondence Address was filed on November 12, 2004 and on July 14, 2005, executed by Dr. A.A. Vissa. A review of Office records reveals that no power of attorney has been filed giving Dr. Vissa - the person signing the change of correspondence address - the authority to change the correspondence address. The applicable rule, 37 CFR 1.33(a)(2), Acting in a representative capacity, states:

(2) Where a § 1.63 oath or declaration has been filed by any of the inventors. If a § 1.63 oath or declaration has been filed, or is filed concurrent with the filing of an application, by any of the inventors, the correspondence address may be changed by the parties set forth in paragraph (b) of this section, except for paragraph (b)(2).

The MPEP 601.03 further provides:

Where a correspondence address has been established on filing of the application or changed pursuant to 37 CFR 1.33(a)(1) (prior to the filing of an executed oath or declaration under 37 CFR 1.63 by any of the inventors), that correspondence address remains in effect upon filing of an executed oath or declaration under 37 CFR 1.63 and can only be subsequently changed pursuant to 37 CFR 1.33(a)(2). Under 37 CFR 1.33(a)(2), where an executed oath or declaration under 37 CFR 1.63 has been filed by any of the inventors, the correspondence address may be changed by (A) a patent practitioner of record, (B) an assignee as provided for under 37 CFR 3.71(b), or (C) all of the applicants (37 CFR 1.41(b)) for patent, unless there is an assignee of the entire interest and such assignee has taken action in the application in accordance with 37 CFR 3.71. See 37 CFR 1.33(a)(2).

A change of address should be filed in this case in accordance with MPEP 601.03. A courtesy copy of this decision is being mailed to the address noted on the petition. However, until otherwise instructed, all future correspondence regarding this application will be mailed solely to the address of record.

Conclusion

Applicants have failed to demonstrate that a complete and proper reply to the Office action was filed. Applicant's have also failed to demonstrate that a proper Change of Correspondence Address was filed. The application is properly held abandoned.

Applicant is advised that, as provided in the Manual of Patent Examining Procedure,

[w]here an applicant contends that the application is not in fact abandoned (e.g., there is disagreement as to the sufficiency of the reply, or as to controlling dates), a petition under 37 CFR 1.181(a) requesting withdrawal of the holding of abandonment is the appropriate course of action, and such petition does not require a fee. Where there is no dispute as to whether an application is abandoned

(e.g., the applicant's contentions merely involve the cause of abandonment), a petition under 37 CFR 1.137 (accompanied by the appropriate petition fee) is necessary to revive the abandoned application.

MPEP 711.03(c).

Alternative venue

Applicant is strongly urged to file a petition stating that the delay was unintentional. An "unintentional" petition under 37 CFR 1.137(b) must be accompanied by the required fee.

The filing of a petition under 37 CFR 1.137(b) cannot be intentionally delayed and therefore must be filed promptly. A person seeking revival due to unintentional delay can not make a statement that the delay was unintentional unless the entire delay, including the delay from the date it was discovered that the application was abandoned until the filing of the petition to revive under 37 CFR 1.137(b), was unintentional. A statement that the delay was unintentional is not appropriate if petitioner intentionally delayed the filing of a petition for revive under 37 CFR 1.137(b).

Further correspondence with respect to this matter should be addressed as follows:

By mail: Director for Patents
PO Box 1450
Alexandria, VA 22313-1450

By FAX: (571) 273-8300
Attn: Office of Petitions

By hand: Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Telephone inquiries concerning the Amendment should be directed to the Examiner. Questions regarding this decision should be directed to the undersigned at (571) 272-3232.

/Derek L. Woods/
Derek L. Woods
Attorney
Office of Petitions

Cc: MICROPYRETICS HEATERS INTERNATIONAL, INC.
750 REDNA TERRACE
CINCINNATI OH 45215



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

NOTICE OF FINAL RULEMAKING REVISED FEE SCHEDULE

The United States Patent and Trademark Office (USPTO) has amended the rules of practice in patent cases to adjust certain patent fee amounts to reflect fluctuations in the Consumer Price Index (CPI). The USPTO is adjusting the patent fee amounts under the Consolidated Appropriations Act, 2005 (Consolidated Appropriations Act), which revised certain patent fees, and provided for a search fee and examination fee separate from the filing fee. Legislation has been enacted that extends the fee rate revisions in the Consolidated Appropriations Act.

A notice was published in the *Federal Register* on August 14, 2008, and in the *Official Gazette of the United States Patent and Trademark Office* on September 2, 2008.

Any fee amount paid on or after October 2, 2008 must be paid as shown in the revised fee schedule. This notice does not affect trademark fees.

The fee schedule is available on our Web site at www.uspto.gov. The most up-to-date fee amounts and information, as well as the complete listing and description of fees, are also available on our Web site. Any future changes to the fees will be posted to the Web site.

If you have any questions related to patents and trademarks, please call the USPTO Contact Center at (571) 272-1000 or (800) 786-9199.

A handwritten signature in black ink, appearing to read "Barry K. Hudson", is positioned above the printed name.

Barry K. Hudson
Chief Financial Officer

UNITED STATES PATENT AND TRADEMARK OFFICE

Effective October 2, 2008

Any fee amount paid on or after October 2, 2008, must be paid as shown in the revised fee schedule.

The fees subject to reduction for small entities that have established status (37 CFR 1.27) are shown in a separate column.

For additional information, please call the USPTO Contact Center at (571) 272-1000 or (800) 786-9199.

| Fee Code | 37 CFR | Description | Fee | Small Entity Fee (if applicable) |
|---------------------------------------|------------|--|----------|----------------------------------|
| Patent Application Filing Fees | | | | |
| 1011/2011 | 1.16(a)(1) | Basic filing fee - Utility <i>filed on or after December 8, 2004</i> | 330.00 | 165.00 |
| 4011† | 1.16(a)(1) | Basic filing fee - Utility (electronic filing) <i>filed on or after December 8, 2004</i> | N/A | 82.00 |
| 1001/2001 | 1.16(a)(2) | Basic filing fee - Utility <i>filed before December 8, 2004</i> | 850.00 | 425.00 |
| 1201/2201 | 1.16(h) | Independent claims in excess of three | 220.00 | 110.00 |
| 1202/2202 | 1.16(i) | Claims in excess of 20 | 52.00 | 26.00 |
| 1203/2203 | 1.16(j) | Multiple dependent claim | 390.00 | 195.00 |
| 1051/2051 | 1.16(f) | Surcharge - Late filing fee or oath or declaration | 130.00 | 65.00 |
| 1081/2081 | 1.16(s) | Utility Application Size Fee - for each additional 50 sheets | 270.00 | 135.00 |
| 1012/2012 | 1.16(b)(1) | Basic filing fee - Design <i>filed on or after December 8, 2004</i> | 220.00 | 110.00 |
| 1002/2002 | 1.16(b)(2) | Basic filing fee - Design <i>filed before December 8, 2004</i> | 380.00 | 190.00 |
| 1017/2017 | 1.16(b)(1) | Basic filing fee - Design (CPA) <i>filed on or after December 8, 2004</i> | 220.00 | 110.00 |
| 1007/2007 | 1.16(b)(2) | Basic filing fee - Design (CPA) <i>filed before December 8, 2004</i> | 380.00 | 190.00 |
| 1082/2082 | 1.16(s) | Design Application Size Fee - for each additional 50 sheets | 270.00 | 135.00 |
| 1013/2013 | 1.16(c)(1) | Basic filing fee - Plant <i>filed on or after December 8, 2004</i> | 220.00 | 110.00 |
| 1003/2003 | 1.16(c)(2) | Basic filing fee - Plant <i>filed before December 8, 2004</i> | 600.00 | 300.00 |
| 1083/2083 | 1.16(s) | Plant Application Size Fee - for each additional 50 sheets | 270.00 | 135.00 |
| 1014/2014 | 1.16(e)(1) | Basic filing fee - Reissue <i>filed on or after December 8, 2004</i> | 330.00 | 165.00 |
| 1004/2004 | 1.16(e)(2) | Basic filing fee - Reissue <i>filed before December 8, 2004</i> | 850.00 | 425.00 |
| 1019/2019 | 1.16(e)(1) | Basic filing fee - Design Reissue (CPA) <i>filed on or after December 8, 2004</i> | 330.00 | 165.00 |
| 1009/2009 | 1.16(e)(2) | Basic filing fee - Design Reissue (CPA) <i>filed before December 8, 2004</i> | 850.00 | 425.00 |
| 1204/2204 | 1.16(h) | Reissue independent claims in excess of three | 220.00 | 110.00 |
| 1205/2205 | 1.16(i) | Reissue claims in excess of 20 | 52.00 | 26.00 |
| 1084/2084 | 1.16(s) | Reissue Application Size Fee - for each additional 50 sheets | 270.00 | 135.00 |
| 1005/2005 | 1.16(d) | Provisional application filing fee | 220.00 | 110.00 |
| 1085/2085 | 1.16(s) | Provisional Application Size Fee - for each additional 50 sheets | 270.00 | 135.00 |
| 1052/2052 | 1.16(g) | Surcharge - Late provisional filing fee or cover sheet | 50.00 | 25.00 |
| 1053 | 1.17(i) | Non-English specification | 130.00 | |
| Patent Search Fees | | | | |
| 1111/2111 | 1.16(k) | Utility Search Fee | 540.00 | 270.00 |
| 1112/2112 | 1.16(l) | Design Search Fee | 100.00 | 50.00 |
| 1113/2113 | 1.16(m) | Plant Search Fee | 330.00 | 165.00 |
| 1114/2114 | 1.16(n) | Reissue Search Fee | 540.00 | 270.00 |
| Patent Examination Fees | | | | |
| 1311/2311 | 1.16(o) | Utility Examination Fee | 220.00 | 110.00 |
| 1312/2312 | 1.16(p) | Design Examination Fee | 140.00 | 70.00 |
| 1313/2313 | 1.16(q) | Plant Examination Fee | 170.00 | 85.00 |
| 1314/2314 | 1.16(r) | Reissue Examination Fee | 650.00 | 325.00 |
| Patent Post-Allowance Fees | | | | |
| 1501/2501 | 1.18(a) | Utility issue fee | 1,510.00 | 755.00 |
| 1502/2502 | 1.18(b) | Design issue fee | 860.00 | 430.00 |
| 1503/2503 | 1.18(c) | Plant issue fee | 1,190.00 | 595.00 |
| 1511/2511 | 1.18(a) | Reissue issue fee | 1,510.00 | 755.00 |
| 1504 | 1.18(d) | Publication fee for early, voluntary, or normal publication | 300.00 | |
| 1505 | 1.18(d) | Publication fee for republication | 300.00 | |

† The 4000 series fee code may be used via EFS-Web at www.uspto.gov/efc/efs/.

PAYMENTS FROM FOREIGN COUNTRIES MUST BE PAYABLE AND IMMEDIATELY NEGOTIABLE IN THE
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| Fee Code | 37 CFR | Description | Fee |
|----------------------------|-------------------|--|---------|
| <u>Patent Service Fees</u> | | | |
| 8001 | 1.19(a)(1) | Printed copy of patent w/o color, delivery by USPS, USPTO Box, or electronic means | 3.00 |
| 8003 | 1.19(a)(2) | Printed copy of plant patent in color | 15.00 |
| 8004 | 1.19(a)(3) | Color copy of patent (other than plant patent) or SIR containing a color drawing | 25.00 |
| 8005 | 1.19(a)(1) | Patent Application Publication (PAP) | 3.00 |
| 8007 | 1.19(b)(1)(i)(A) | Copy of patent application as filed | 20.00 |
| 8008 | 1.19(b)(1)(i)(B) | Copy of patent-related file wrapper and paper contents of 400 or fewer pages | 200.00 |
| 8009 | 1.19(b)(1)(i)(C) | Each additional 100 pages of patent-related file wrapper and (paper) contents, or portion thereof | 40.00 |
| 8010 | 1.19(b)(1)(i)(D) | Certification of patent-related file wrapper and (paper) contents | 25.00 |
| 8011 | 1.19(b)(1)(ii)(B) | Copy of patent-related file wrapper and contents if provided electronically or on a physical electronic medium as specified in § 1.19(b)(1)(ii) | 55.00 |
| 8012 | 1.19(b)(1)(ii)(C) | Each continuing physical electronic medium in single order of § 1.19(b)(1)(ii)(B) | 15.00 |
| 8041 | 1.19(b)(2)(i)(A) | Copy of patent-related file wrapper contents, other than as available in § 1.19(b)(1); first physical electronic medium in a single order | 55.00 |
| 8042 | 1.19(b)(2)(i)(B) | Each continuing copy of patent-related file wrapper and contents as specified in § 1.19(b)(2)(i)(A) | 15.00 |
| 8043 | 1.19(b)(2)(ii) | Copy of patent-related file wrapper contents other than as available in § 1.19(b)(1); provided electronically other than on a physical electronic medium | 55.00 |
| 8013 | 1.19(b)(3) | Copy of office records, except copies of applications as filed | 25.00 |
| 8014 | 1.19(b)(4) | For assignment records, abstract of title and certification, per patent | 25.00 |
| 8904 | 1.19(c) | Library service | 50.00 |
| 8015 | 1.19(d) | List of U.S. patents and SIRs in subclass | 3.00 |
| 8016 | 1.19(e) | Uncertified statement re status of maintenance fee payments | 10.00 |
| 8017 | 1.19(f) | Copy of non-U.S. document | 25.00 |
| 8050 | 1.19(g) | Petitions for documents in form other than that provided by this part, or in form other than that generally provided by Director, to be decided in accordance with merits | AT COST |
| 8019 | 1.21(d) | Local delivery box rental, annually | 50.00 |
| 8020 | 1.21(e) | International type search report | 40.00 |
| 8902 | 1.21(g) | Self-service copy charge, per page | 0.25 |
| 8021 | 1.21(h) | Recording each patent assignment, agreement or other paper, per property | 40.00 |
| 8022 | 1.21(i) | Publication in <i>Official Gazette</i> | 25.00 |
| 8023 | 1.21(j) | Labor charges for services, per hour or fraction thereof | 40.00 |
| 8024 | 1.21(k) | Unspecified other services, excluding labor | AT COST |
| 8025 | 1.21(l) | Retaining abandoned application | 130.00 |
| 8026 | 1.21(n) | Handling fee for incomplete or improper application | 130.00 |
| 8027 | 1.296 | Handling fee for withdrawal of SIR | 130.00 |

GENERAL FEES

Finance Service Fees

| | | | |
|------|---------------------------------|--|-------|
| 9201 | 1.21(b)(1) or 2.6(b)(13)(i) | Establish deposit account | 10.00 |
| 9202 | 1.21(b)(2) or 2.6(b)(13)(ii) | Service charge for below minimum balance | 25.00 |
| 9202 | 1.21(b)(3) | Service charge for below minimum balance restricted subscription deposit account | 25.00 |
| 9101 | 1.21(m) or 2.6(b)(12) | Processing each payment refused or charged back | 50.00 |

Computer Service Fees

| | | | |
|-----------|--|------------------------|---------|
| 8031/8531 | | Computer records | AT COST |
|-----------|--|------------------------|---------|

PAYMENTS FROM FOREIGN COUNTRIES MUST BE PAYABLE AND IMMEDIATELY NEGOTIABLE IN THE
UNITED STATES FOR THE FULL AMOUNT OF THE FEE REQUIRED

| Fee Code | 37 CFR | Description | Fee | Small Entity Fee (if applicable) |
|---------------------------------------|----------------|---|----------|----------------------------------|
| PCT Fees - National Stage | | | | |
| 1631/2631 | 1.492(a) | Basic National Stage Fee | 330.00 | 165.00 |
| 1641/2641 | 1.492(b)(2) | National Stage Search Fee - U.S. was the ISA | 100.00 | 50.00 |
| 1642/2642 | 1.492(b)(3) | National Stage Search Fee - search report prepared and provided to USPTO | 430.00 | 215.00 |
| 1632/2632 | 1.492(b)(4) | National Stage Search Fee - all other situations | 540.00 | 270.00 |
| 1633/2633 | 1.492(c)(2) | National Stage Examination Fee - all other situations | 220.00 | 110.00 |
| 1614/2614 | 1.492(d) | Claims - extra independent (over three) | 220.00 | 110.00 |
| 1615/2615 | 1.492(e) | Claims - extra total (over 20) | 52.00 | 26.00 |
| 1616/2616 | 1.492(f) | Claims - multiple dependent | 390.00 | 195.00 |
| 1681/2681 | 1.492(j) | National Stage Application Size Fee - for each additional 50 sheets | 270.00 | 135.00 |
| 1617/2617 | 1.492(h) | Oath or declaration after 30 months from priority date | 130.00 | 65.00 |
| 1618 | 1.492(i) | English translation after 30 months from priority date | 130.00 | |
| PCT Fees - International Stage | | | | |
| 1601 | 1.445(a)(1) | Transmittal fee | 300.00 | |
| 1602 | 1.445(a)(2) | Search fee - regardless of whether there is a corresponding application (see 35 U.S.C. 361(d) and PCT Rule 16) | 1,800.00 | |
| 1604 | 1.445(a)(3) | Supplemental search fee when required, per additional invention | 1,800.00 | |
| 1605 | 1.482(a)(1) | Preliminary examination fee - U.S. was the ISA | 600.00 | |
| 1606 | 1.482(a)(1) | Preliminary examination fee - U.S. was not the ISA | 750.00 | |
| 1607 | 1.482(a)(2) | Supplemental examination fee per additional invention | 600.00 | |
| 1619 | | Late payment fee | VARIABLE | |
| 1621 | | Transmitting application to Intl. Bureau to act as receiving office | 300.00 | |
| PCT Fees to Foreign Offices * | | | | |
| 1701 | | International filing fee (first 30 pages) – filed in paper w/ PCT Easy zip file or electronically w/o PCT Easy zip file | 1,237.00 | |
| 1702 | | International filing fee (first 30 pages) | 1,338.00 | |
| 1703 | | Supplemental international filing fee (for each page over 30) | 15.00 | |
| 1704 | | International search (EPO) | 2,665.00 | |
| 1705 | | Handling fee | 171.00 | |
| 1706 | | Handling fee – 90% reduction, if applicant(s) meets criteria specified at: www.wipo.int/pct/en/fees/fee_reduction.pdf | 17.10 | |
| 1708 | | International CD applications | 6,000.00 | |
| 1709 | | International search (KIPO) | 244.00 | |
| 1710 | | International filing fee (first 30 pages) – filed electronically w/ PCT Easy zip file | 1,137.00 | |
| Patent Enrollment Fees | | | | |
| 9001 | 1.21(a)(1)(i) | Application fee (non-refundable) | 40.00 | |
| 9003 | 1.21(a)(2) | Registration to practice or grant limited recognition under § 11.9(b) or (c) ... | 100.00 | |
| 9004 | 1.21(a)(3) | Reinstatement to practice | 40.00 | |
| 9005 | 1.21(a)(4) | Certificate of good standing as an attorney or agent | 10.00 | |
| 9006 | 1.21(a)(4) | Certificate of good standing as an attorney or agent, suitable for framing | 20.00 | |
| 9010 | 1.21(a)(1) | For test administration by commercial entity | 200.00 | |
| | (ii)(A) | | | |
| 9011 | 1.21(a)(1) | For test administration by the USPTO. | 450.00 | |
| | (ii)(B) | | | |
| 9012 | 1.21(a)(5)(i) | Review of decision by the Director of Enrollment and Discipline under § 11.2(c) | 130.00 | |
| 9013 | 1.21(a)(5)(ii) | Review of decision of the Director of Enrollment and Discipline under § 11.2(d) | 130.00 | |
| 9014 | 1.21(a)(10) | Application fee for person disciplined, convicted of a felony or certain misdemeanors under § 11.7(h) | 1,600.00 | |
| 9024 | 1.21(k) | Unspecified other services, excluding labor | AT COST | |

* PCT Fees to Foreign Offices are subject to periodic change due to fluctuations in exchange rates. Refer to the *Official Gazette of the United States Patent and Trademark Office* for current amounts.

PAYMENTS FROM FOREIGN COUNTRIES MUST BE PAYABLE AND IMMEDIATELY NEGOTIABLE IN THE UNITED STATES FOR THE FULL AMOUNT OF THE FEE REQUIRED

| Fee Code | 37 CFR | Description | Fee | Small Entity Fee (if applicable) |
|---|-------------|---|-----------|----------------------------------|
| Patent Maintenance Fees | | | | |
| 1551/2551 | 1.20(e) | Due at 3.5 years | 980.00 | 490.00 |
| 1552/2552 | 1.20(f) | Due at 7.5 years | 2,480.00 | 1,240.00 |
| 1553/2553 | 1.20(g) | Due at 11.5 years | 4,110.00 | 2,055.00 |
| | 1.20(h) | Surcharge - Late payment within 6 months | 130.00 | 65.00 |
| 1557 | 1.20(i)(1) | Surcharge after expiration - Late payment is unavoidable | 700.00 | |
| 1558 | 1.20(i)(2) | Surcharge after expiration - Late payment is unintentional | 1,640.00 | |
| Miscellaneous Patent Fees | | | | |
| 1801/2801 | 1.17(e) | Request for Continued Examination (RCE) (see 37 CFR 1.114) | 810.00 | 405.00 |
| 1808 | 1.17(i) | Processing fee, except in provisional applications | 130.00 | |
| 1803 | 1.17(i) | Request for voluntary publication or republication | 130.00 | |
| 1802 | 1.17(k) | Request for expedited examination of a design application | 900.00 | |
| 1804 | 1.17(n) | Request for publication of SIR - Prior to examiner's action | 920.00* | |
| 1805 | 1.17(o) | Request for publication of SIR - After examiner's action | 1,840.00* | |
| 1806 | 1.17(p) | Submission of an Information Disclosure Statement | 180.00 | |
| 1807 | 1.17(q) | Processing fee for provisional applications | 50.00 | |
| 1809/2809 | 1.17(r) | Filing a submission after final rejection (see 37 CFR 1.129(a)) | 810.00 | 405.00 |
| 1810/2810 | 1.17(s) | For each additional invention to be examined (see 37 CFR 1.129(b)) | 810.00 | 405.00 |
| Post Issuance Fees | | | | |
| 1811 | 1.20(a) | Certificate of correction | 100.00 | |
| 1812 | 1.20(c)(1) | Request for ex parte reexamination | 2,520.00 | |
| 1813 | 1.20(c)(2) | Request for inter partes reexamination | 8,800.00 | |
| 1821/2821 | 1.20(c)(3) | Reexamination independent claims in excess of three | 220.00 | 110.00 |
| 1822/2822 | 1.20(c)(4) | Reexamination claims in excess of 20 | 52.00 | 26.00 |
| 1814/2814 | 1.20(d) | Statutory disclaimer | 140.00 | 70.00 |
| Patent Extensions of Time Fees | | | | |
| 1251/2251 | 1.17(a)(1) | Extension for response within first month | 130.00 | 65.00 |
| 1252/2252 | 1.17(a)(2) | Extension for response within second month | 490.00 | 245.00 |
| 1253/2253 | 1.17(a)(3) | Extension for response within third month | 1,110.00 | 555.00 |
| 1254/2254 | 1.17(a)(4) | Extension for response within fourth month | 1,730.00 | 865.00 |
| 1255/2255 | 1.17(a)(5) | Extension for response within fifth month | 2,350.00 | 1,175.00 |
| Patent Appeals/Interference Fees | | | | |
| 1401/2401 | 41.20(b)(1) | Notice of appeal | 540.00 | 270.00 |
| 1402/2402 | 41.20(b)(2) | Filing a brief in support of an appeal | 540.00 | 270.00 |
| 1403/2403 | 41.20(b)(3) | Request for oral hearing | 1,080.00 | 540.00 |
| Patent Petition Fees | | | | |
| 1462 | 1.17(f) | Petitions requiring the petition fee set forth in 37 CFR 1.17(f) (Group I) | 400.00 | |
| 1463 | 1.17(g) | Petitions requiring the petition fee set forth in 37 CFR 1.17(g) (Group II) .. | 200.00 | |
| 1464 | 1.17(h) | Petitions requiring the petition fee set forth in 37 CFR 1.17(h) (Group III) .. | 130.00 | |
| 1451 | 1.17(j) | Petition to institute a public use proceeding | 1,510.00 | |
| 1452/2452 | 1.17(l) | Petition to revive unavoidably abandoned application | 540.00 | 270.00 |
| 1453/2453 | 1.17(m) | Petition to revive unintentionally abandoned application | 1,620.00 | 810.00 |
| 1454 | 1.17(t) | Acceptance of an unintentionally delayed claim for priority, or for filing a request for the restoration of the right of priority | 1,410.00 | |
| 1455 | 1.18(e) | Filing an application for patent term adjustment | 200.00 | |
| 1456 | 1.18(f) | Request for reinstatement of reduced term | 400.00 | |
| 1457 | 1.20(j)(1) | Extension of term patent | 1,120.00 | |
| 1458 | 1.20(j)(2) | Initial application for interim extension (see 37 CFR 1.790) | 420.00 | |
| 1459 | 1.20(j)(3) | Subsequent application for interim extension (see 37 CFR 1.790) | 220.00 | |

* Reduced by basic filing fee paid.

| Fee Code | 37 CFR | Description | Fee |
|---|----------------|---|---------|
| Trademark Processing Fees * | | | |
| 6001 | 2.6(a)(1)(i) | Application for registration, per international class (paper filing) | 375.00 |
| 7001 | 2.6(a)(1)(ii) | Application for registration, per international class (electronic filing) | 325.00 |
| 7007 | 2.6(a)(1)(iii) | Application for registration, per international class (electronic filing, TEAS Plus) | 275.00 |
| 6002/7002 | 2.6(a)(2) | Filing an Amendment to Allege Use under § 1(c), per class | 100.00 |
| 6003/7003 | 2.6(a)(3) | Filing a Statement of Use under § 1(d)(1), per class | 100.00 |
| 6004/7004 | 2.6(a)(4) | Filing a Request for a Six-month Extension of Time for Filing a Statement of Use under § 1(d)(1), per class | 150.00 |
| 6005/7005 | 2.6(a)(15) | Petitions to the Director | 100.00 |
| 6006 | 2.6(a)(19) | Dividing an application, per new application (file wrapper) created | 100.00 |
| 6008/7008 | 2.6(a)(1)(iv) | Additional fee for application that doesn't meet TEAS Plus filing requirements, per class .. | 50.00 |
| 6201/7201 | 2.6(a)(5) | Application for renewal, per class | 400.00 |
| 6203/7203 | 2.6(a)(6) | Additional fee for filing renewal application during grace period, per class | 100.00 |
| 6204 | 2.6(a)(21) | Correcting a deficiency in a renewal application | 100.00 |
| 6205/7205 | 2.6(a)(12) | Filing § 8 affidavit, per class | 100.00 |
| 6206/7206 | 2.6(a)(14) | Additional fee for filing § 8 affidavit during grace period, per class | 100.00 |
| 6207 | 2.6(a)(20) | Correcting a deficiency in a § 8 affidavit | 100.00 |
| 6208/7208 | 2.6(a)(13) | Filing § 15 affidavit, per class | 200.00 |
| 6210 | 2.6(a)(7) | Publication of mark under § 12(c), per class | 100.00 |
| 6211 | 2.6(a)(8) | Issuing new certificate of registration | 100.00 |
| 6212/7212 | 2.6(a)(9) | Certificate of correction, registrant's error | 100.00 |
| 6213 | 2.6(a)(10) | Filing disclaimer to registration | 100.00 |
| 6214 | 2.6(a)(11) | Filing amendment to registration | 100.00 |
| 6401/7401 | 2.6(a)(16) | Petition for cancellation, per class | 300.00 |
| 6402/7402 | 2.6(a)(17) | Notice of opposition, per class | 300.00 |
| 6403/7403 | 2.6(a)(18) | Ex parte appeal, per class | 100.00 |
| Trademark Madrid Protocol Fees * | | | |
| 6901/7901 | 7.6(a)(1) | International application based on single application or registration, per class | 100.00 |
| 6902/7902 | 7.6(a)(2) | Certifying an International application based on more than one basic application | 150.00 |
| 6903/7903 | 7.6(a)(3) | Transmitting a Request to Record an Assignment or restriction under § 7.23 or 7.24 | 100.00 |
| 6904/7904 | 7.6(a)(4) | Filing a Notice of Replacement, per class | 100.00 |
| 6905/7905 | 7.6(a)(5) | Filing an affidavit under § 71 of the Act | 100.00 |
| 6906/7906 | 7.6(a)(6) | Surcharge for filing affidavit under § 71 of the Act during grace period, per class | 100.00 |
| 6907/7907 | 7.6(a)(7) | Transmitting a subsequent designation | 100.00 |
| Trademark Service Fees | | | |
| 8501 | 2.6(b)(1) | Printed copy of registered mark, delivery by USPS, USPTO Box, or electronic means | 3.00 |
| 8503 | 2.6(b)(4)(i) | Certified copy of registered mark, with title and/or status, regular service | 15.00 |
| 8504 | 2.6(b)(4)(ii) | Certified copy of registered mark, with title and/or status, expedited local service | 30.00 |
| 8507 | 2.6(b)(2) | Certified copy of trademark application as filed | 15.00 |
| 8508 | 2.6(b)(3) | Certified or uncertified copy of trademark-related file wrapper and contents | 50.00 |
| 8513 | 2.6(b)(5) | Certified or uncertified copy of trademark document, unless otherwise provided | 25.00 |
| 8514 | 2.6(b)(7) | For assignment records, abstracts of title and certification per registration | 25.00 |
| 8902 | 2.6(b)(9) | Self-service copy charge, per page | 0.25 |
| 8521 | 2.6(b)(6) | Recording trademark assignment, agreement or other paper, first mark per document | 40.00 |
| 8522 | 2.6(b)(6) | For second and subsequent marks in the same document | 25.00 |
| 8523 | 2.6(b)(10) | Labor charges for services, per hour or fraction thereof | 40.00 |
| 8524 | 2.6(b)(11) | Unspecified other services, excluding labor | AT COST |
| Fastener Quality Act Fees | | | |
| 6991 | 2.7(a) | Recordal application fee | 20.00 |
| 6992 | 2.7(b) | Renewal application fee..... | 20.00 |
| 6993 | 2.7(c) | Late fee for renewal application | 20.00 |
| 6994 | 2.7(a) | Application fee for reactivation of insignia, per request | 20.00 |

* The 7000 series fee code (e.g., 7001, 7002, etc.) is used for electronic filings via TEAS, which is available at www.uspto.gov/teas/.

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